

Message Text

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ACTION SCS-05

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FM AMEMBASSY OTTAWA
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AMCONSUL HALIFAX
AMCONSUL MONTREAL
AMCONSUL QUEBEC
AMCONSUL TORONTO
AMCONSUL VANCOUVER
AMCONSUL WINNIPEG

UNCLAS SECTION 01 OF 02 OTTAWA 05155

E. O. 11652: N/A
TAGS: CARR CA
SUBJECT: ARRESTEE AND PRISONER SERVICES

REF: STATE 137915

1. COPY OF PARLIAMENTARY SUB-COMMITTEE REPORT ON CANADIAN
PENITENTIARY SYSTEM IS IN MAIL TO SCA. COPIES HAVE BEEN
ORDERED FOR DISTRIBUTION TO CONSULAR POSTS BUT MAY BE
DELAYED SINCE FIRST PRINTING SOLD OUT WITHIN FIRST WEEK
OF PUBLICATION, AND SECOND PRINTING HAS JUST BEEN APPROVED.

2. STANDING COMMITTEE ON JUSTICE AND LEGAL AFFAIRS PASSED
REPORT OF 13-MEMBER SUBCOMMITTEE WITHOUT CHANGE OR COMMENT.
PRESS ATTENTION HAS BEEN DEVOTED PRIMARILY TO REFERENCES
TO MISCONDUCT OF GUARDS, INTRANSIGENCE OF GUARDS' UNION,
AND GENERAL MISMANAGEMENT. THE COMMITTEE CLEARLY OBJECTS
TO THE CONCEPT OF A PENITENTIARY SYSTEM, AND FINDS THAT
CANADIAN IMPLEMENTATION OF AN UNDESIRABLE SYSTEM IS
PARTICULARLY LAX AND CONFUSED. PREFACE SUMS UP NEEDS OF
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CANADIAN PENITENTIARIES AS THEY EXIST IN ONE WORD:
"DISCIPLINE."

3. MAJOR CRITICISMS ARE THAT SYSTEM IS OVERSTAFFED WITH
UNDERQUALIFIED PEOPLE; UNDER PROTECTION OF THEIR UNION,
GUARDS EXPLOIT BOTH PRISONERS AND ADMINISTRATION FOR
MATERIAL GAIN AND PSYCHOLOGICAL SATISFACTION; "SECURITY"

PER SE IS GIVEN TOO MUCH VALUE; GUIDELINES AND DIRECTIVES FOR PRISONER AND STAFF BEHAVIOR ARE UNCLEAR. INsofar AS SPECIFIC PRISONS ARE SINGLED OUT AS ESPECIALLY BAD BOTH FOR PRISONERS AND FROM MANAGEMENT STANDPOINT, MILLHAVEE- THE WORST. MOST CITED INCIDENTS OF MAL-TREATMENT OF PRISON-ERS ARE IN THE NATURE OF "MIND GAMES" RATHER THAN OVERT ABUSE.

4. UNFAVORABLE COMPARISONS WITH U.S. PRISONS CITE CANADIAN SHORTCOMINGS AS: LOW QUALIFICATION STANDARDS AND POOR CAREER DEVELOPMENT PROGRAMS FOR GUARDS; LACK OF COMPREHENSIVE LEGAL LIBRARIES FOR PRISONERS; LACK OF PUBLIC ENTERPRISES TO MARKET PRISONER PRODUCTS, RESULTING IN MARGINAL EMPLOY-MENT OF PRISONERS AND LOW REVENUES TO PRISON SYSTEM.

5. QUALITY OF THE REPORT IS SPOTTY. IT IS GENERALLY WELL WRITTEN AND WELL-CONSIDERED, BUT IT BEGINS FROM SOME ASSUMPTIONS NOT EVERYONE WILL SHARE. IN ITS RECOMMENDATIONS, THE COMMITTEE DISPLAYS A VIEW OF THE AVERAGE PRISONER WHICH IS CONSIDERABLY MORE CHARITABLE THAN THAT TO BE FOUND GENERALLY AMONG PEOPLE WHO HAVE HAD SUBSTANTIAL RESPONSIBIL-ITY FOR, OR CONTACT WITH, PRISON POPULATIONS. COMMITTEE REJECTS CONCEPT OF REHABILITATION, PREFERRING INSTEAD TO AIM FOR "PERSONAL REFORMATION" OF PRISONERS BY PRISONERS UNDER MINIMAL SECURITY CONDITIONS. MORAL FORCE IS TO SUPPLANT PRESENT CONTROLS WHICH RELY ALMOST EXCLUSIVELY ON EXTERNAL COERCION AND SUPERIOR PHYSICAL FORCE. SOCIOThERA-PEUTIC PROGRAMS ARE PREFERRED OVER CURRENT COMBINATION OF PHYSICAL RESTRAINT AND INEFFECTIVE REHABILITATIVE EFFORTS. UNCLASSIFIED

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6. THE REPORT ALSO CONTAINS SOME EVIDENT DISTORTIONS AND FALLACIES. FOR EXAMPLE, IT RECOMMENDS ELIMINATION OF KINGSTON PRISON FOR WOMEN, REFERRING TO IT AS "AN 1835-STYLE MAXIMUM SECURITY INSITUATION." COMMENTS ON THE PRISON FOR WOMEN ARE ALL CAST IN THE NEGATIVE, E.G. TOO FEW PROGRAMS, TOO LITTLE FREEDOM. CONSULAR OFFICERS WHO KNOW THE PRISON CONSIDER IT QUITE RELAXED BY AVERAGE PENITENTIARY STANDARDS, WITH MANY OPPORTUNITIES FOR INDIVIDUAL ACTIVITY, WORK-RELEASE, ETC. IN ARGUING FOR CLOSING, COMMITTEE STATES THAT MOST WOMEN PRISONERS ARE NOT REALLY CRIMINALS WHO COMMIT OFFENSES AGAINST OTHERS. "THEIR CRIMES ARE PRIMARILY AGAINST THEMSELVES -- SHOP-LIFTING, PROSTITUTION, BREAKING AND ENTERING, DRUG-RELATED ACTIVITIES."

7. IT IS SIMILARLY DIFFICULT TO FOLLOW COMMITTEE'S SUGGES-TION THAT PRISONERS SENTENCED TO NEW TWENTY-FIVE YEAR, NO PAROLE TERMS SHOULD BE SENT TO REMOTE PRISON CAMPS WHERE THEY COULD LIVE NORMAL LIVES WITH THEIR FAMILIES. THESE

CAMPS WOULD NOT BE "SIBERIAN," THEY WOULD BE ESTABLISHED ON COASTAL ISLANDS OR IN WILDERNESS AREAS, AND WOULD BE POPULATED BY PRISONER VOLUNTEERS, NOT "UNDESIRABLE INMATES." PHYSICAL SECURITY PROVIDED BY THE ENVIRONMENT WOULD OBVIATE NEED FOR GUARDS. COMMITTEE CONCLUDES THAT SUCH PENAL COLONIES COULD WORK "PROVIDED THAT THE PROBLEMS OF STAFF AND INMATE

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ISOLATION COULD BE OVERCOME...."

8. IT IS IMPORTANT TO TAKE NOTE OF THE COMMITTEE'S CONCEPTUAL BIAS SINCE GENERAL TONE OF REPORT IS A CONDEMNATION OF THE CANADIAN PENITENTIARY SYSTEM, WITH CONCOMITANT IMPLICATIONS THAT PRISONERS ARE BEING TREATED INHUMANELY. REPORT CERTAINLY WILL SERVE AS REMINDER TO CONSULAR OFFICERS OF SPECIFIC, AS WELL AS GENERAL, OBSERVATIONS THEY SHOULD MAKE IN VISITS TO U.S. CITIZEN PRISONERS. IT ALSO UNDOUBTEDLY WILL SERVE AS A SOURCE FOR SOME PRISONER COMPLAINTS TO CONSULAR OFFICERS, PARTICULARLY ABOUT THE KINDS OF "MIND GAMES" DESCRIBED THAT ARE SO HARD TO PROVE OR DISPROVE. NEARLY ALL OF THE COPIES OF THE REPORT SOLD TO THE PUBLIC HAVE BEEN PURCHASED BY PRISON INMATES.

9. DESPITE PUBLICITY GIVEN TO THE MOST EASILY SENSATIONALIZED PORTIONS, SUCH AS REFERENCES TO GUARD CORRUPTION OR PHYSICAL VIOLENCE AND RIOTS, REPORT IN THE TOTALITY DOES NOT CONSTITUTE GROUNDS TO CHANGE GENERAL VIEW EXPRESSED BY U.S.

CITIZEN PRISONERS, AND CONCURRED IN BY EXPERIENCED CONSULAR
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OFFICERS, THAT CANADIAN PENITENTIARIES ON THE WHOLE ARE
AT LEAST AS MODERN ANDHUMANE AS THEIR COUNTERPARTS IN THE
U.S. THE VERY EXISTENCE AND THE CONTENT OF THE REPORT ARE
EVIDENCE THAT FAIR AND DECENT TREATMENT OF PRISONERS IS A
MATTER OF PUBLIC CONCERN IN CANADA. ENDERS

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